

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6200**

**BILL NUMBER: SB 1**

**NOTE PREPARED: Mar 15, 2012**

**BILL AMENDED: Mar 9, 2012**

**SUBJECT:** Right to Defend Against Unlawful Entry.

**FIRST AUTHOR:** Sen. Young R Michael

**FIRST SPONSOR:** Rep. McMillin

**BILL STATUS:** Enrolled

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** No Fiscal Impact

**Summary of Legislation:** This bill has the following provisions:

- A.     *Reasonable Force* - It specifies that a person may use reasonable force against any other person in certain circumstances.
- B.     *Justifiable Reasonable Force Against a Public Servant* – It provides that a person is justified in using reasonable force against a public servant if the person reasonably believes the force is necessary to: (1) protect the person or a third person from unlawful force; (2) prevent or terminate the public servant's unlawful entry into the person's dwelling; or (3) prevent or terminate the public servant's criminal interference with property lawfully in the person's possession.
- C.     *Reasonable Force Against a Public Servant Not Justifiable* – It specifies that a person is not justified in using force against a public servant if: (1) the person is committing or is escaping after the commission of a crime; (2) the person provokes action by the public servant with intent to injure the public servant; (3) the person has entered into combat with the public servant or is the initial aggressor; or (4) the person reasonably believes the public servant is acting lawfully or is engaged in the lawful execution of the public servant's official duties. It provides that a person is not justified in using deadly force against a public servant whom the person knows or reasonably should know is a public servant unless: (1) the person reasonably believes that the public servant is acting unlawfully or is not engaged in the execution of the public servant's official duties; and (2) the force is reasonably necessary to prevent serious bodily injury to the person or a third person.

(The introduced version of this bill was prepared by the Legislative Council Barnes v. State Subcommittee.)

**Effective Date:** Upon passage.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:**

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.